

Office of State Appellate Public Defender

STARS Number & Budget Unit: 443 SGDA

Bill Number & Chapter: H355 (Ch.297), H329 (Ch.247), S1230 (Ch.325), H395 (Ch.398)

PROGRAM DESCRIPTION: The Office of the State Appellate Public Defender provides legal representation to indigent defendants upon the appeal of their felony criminal convictions in district court; appeals from the district court in post-conviction relief proceedings brought pursuant to the uniform post-conviction procedures act; appeals from the district court in habeas corpus proceedings; and post-conviction relief proceedings in capital cases.

DIVISION SUMMARY:	FY 2004 Total Appr	FY 2004 Actual	FY 2005 Total Appr	FY 2006 Request	FY 2006 Gov Rec	FY 2006 Approp
BY FUND SOURCE						
General	1,228,800	1,196,100	1,504,600	2,673,000	2,665,000	2,019,300
Dedicated	0	0	0	0	0	35,400
Total:	1,228,800	1,196,100	1,504,600	2,673,000	2,665,000	2,054,700
Percent Change:		(2.7%)	25.8%	77.7%	77.1%	36.6%
BY EXPENDITURE CLASSIFICATION						
Personnel Costs	983,000	939,400	1,026,900	1,477,400	1,474,100	1,464,800
Operating Expenditures	245,800	246,500	477,700	1,154,900	1,150,200	549,200
Capital Outlay	0	10,200	0	40,700	40,700	40,700
Total:	1,228,800	1,196,100	1,504,600	2,673,000	2,665,000	2,054,700
Full-Time Positions (FTP)	15.00	15.00	15.00	21.00	21.00	21.00

In accordance with Section 67-3519, Idaho Code, this division is authorized no more than 21.00 full-time equivalent positions at any point during the period July 1, 2005 through June 30, 2006 for the programs specified.

DECISION UNIT SUMMARY:	FTP	General	Dedicated	Federal	Total
FY 2005 Original Appropriation	15.00	1,262,900	0	0	1,262,900
HB 805 One-time 1% Salary Increase	0.00	8,700	0	0	8,700
1. Mitigation & Investigation	0.00	233,000	0	0	233,000
FY 2005 Total Appropriation	15.00	1,504,600	0	0	1,504,600
Budgeted Reversion	0.00	(2,000)	0	0	(2,000)
FY 2005 Estimated Expenditures	15.00	1,502,600	0	0	1,502,600
Removal of One-Time Expenditures	0.00	(7,400)	0	0	(7,400)
Base Adjustments	0.00	700	0	0	700
FY 2006 Base	15.00	1,495,900	0	0	1,495,900
Benefit Costs	0.00	11,100	0	0	11,100
Nonstandard Adjustments	0.00	(400)	0	0	(400)
27th Payroll	0.00	0	35,400	0	35,400
FY 2006 Maintenance (MCO)	15.00	1,506,600	35,400	0	1,542,000
1. Appellate Unit	3.00	267,800	0	0	267,800
2. Capital Litigation Unit	3.00	244,900	0	0	244,900
FY 2006 Total Appropriation	21.00	2,019,300	35,400	0	2,054,700
Change From FY 2005 Original Approp.	6.00	756,400	35,400	0	791,800
% Change From FY 2005 Original Approp.	40.0%	59.9%			62.7%

SUPPLEMENTALS: House Bill 329 appropriated additional moneys to the State Appellate Public Defender for mitigation and investigation in the post conviction phase of current capital cases.

APPROPRIATION HIGHLIGHTS: Personnel benefit costs were funded. No inflationary increases were provided. Nonstandard adjustments reflect changes in Attorney General, Controller and Treasurer fees, and risk management rates. Separate legislation funded the one-time 27th Payroll from dedicated and federal funds including the Economic Recovery Fund in place of the General Fund (S1230). A one-time 1% Change in Employee Compensation (CEC) increase was provided contingent upon a prescribed balance in the General Fund at the end of fiscal year 2005 (H395). Two enhancements were also funded in this budget. The first one added three attorneys to the Appellate Unit due to dramatic increases in caseload, and the second added one senior attorney, one staff attorney, and one investigator to the Capital Litigation Unit, also due to rising caseload growth.

LEGISLATIVE INTENT: Carryover authority was granted for fiscal year 2005 General Fund moneys as appropriated for mitigation and litigation expenses in capital cases.

FY 2006 APPROPRIATION:	FTP	Pers. Cost	Oper Exp	Cap Out	T/B Pymnts	Lump Sum	Total
G 0001-00 General	21.00	1,429,400	537,200	0	0	0	1,966,600
OT G 0001-00 General	0.00	0	12,000	40,700	0	0	52,700
OT D 0150-01 Economic Recovery	0.00	35,400	0	0	0	0	35,400
Totals:	21.00	1,464,800	549,200	40,700	0	0	2,054,700